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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re RIPPLE LABS INC. LITIGATION,

This Document Relates To:
ALL ACTIONS

Case No. 18-cv-06753-PJH

**DECLARATION OF NICHOLAS N.
SPEAR IN SUPPORT OF
STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME OF
MOTION FOR RELIEF FOR GSR
HOLDINGS, INC.
[PURSUANT TO L.R. 6-2(a)]**

1 I, Nicholas N. Spear, hereby declare as follows:

2 1. I am a member in good standing of the bar of the State of California, an associate
3 with the law firm of Susman Godfrey L.L.P., and counsel of record for Lead Plaintiff Bradley
4 Sostack. I have personal knowledge of the facts set forth herein, and if called as a witness, would
5 testify competently thereto.

6 2. Pursuant to Northern District of California Civil Local Rule 6-2(a), I make this
7 declaration in support of the “Stipulation and [Proposed] Order to Extend Time of Motion for
8 Relief for GSR Holdings, Inc.”

9 3. On April 28, 2022, the Court issued an order requiring that Defendants Ripple Labs
10 Inc, XRP II, LLC, and Bradley Garlinghouse (collectively, “Defendants”) produce “all documents
11 and written discovery produced in *Securities and Exchange Commission v. Ripple Labs, Inc.*, 20
12 Civ. 10832 (AT), S.D.N.Y) (the “SEC Action”).” Dkt. 167 (the “Order”).

13 4. Also pursuant to this Order: “Within seven (7) days of the issuance of this order,
14 Plaintiff must provide notice to all third parties who have not consented to production pursuant to
15 section 9 of the protective order in this action and paragraph 23 of the protective order in the SEC
16 Action, along with a copy of this order. Any third party who does not consent to production must
17 notify both Plaintiff and Defendants of their intent to object within fourteen (14) days of receipt
18 of such notice, and must file any motion for relief from this Court within twenty-one (21) days of
19 receipt of such notice. Prior to the filing of any request for relief from this Court, the moving third
20 party must meet and confer with Plaintiff in good faith.” *Id.*

21 5. Plaintiff provided notice to third party GSR Holdings, Inc. (“GSR”) on May 4, 2022.
22 GSR provided its notice of intent to object on May 17, 2022. Pursuant to the Order, any motion
23 for relief from GSR is due on May 25, 2022.

24 6. Plaintiff’s counsel and counsel for GSR had a telephonic meet and confer on May
25 20, 2022 and have also met and conferred over email.

26 7. Plaintiff believes that additional meeting and conferring may obviate or limit the
27 need for relief from the Order. Based on communications with GSR’s counsel, Plaintiff
28 understands that GSR also believes that additional time for meeting and conferring is warranted.

1 8. The parties therefore stipulated to an extension of the time for GSR to file a motion
2 for relief from May 25, 2022 to June 2, 2022, and request a Court order entering the stipulation
3 pursuant to Local Rule 6-2.

4 9. Pursuant to Local Rule 6-2(a)(2), Plaintiff and Defendants have previously
5 requested three modifications to the case schedule since the Court issued its Pretrial Order (Dkt.
6 125). *See* Dkts. 157, 169. The first was granted as modified by the Court. *See* Dkt. 158. The second
7 and third were similar requests for extensions of the deadline for a motion for relief in the Order,
8 one of which was granted and the other of which is pending. *See* Dkts. 170–71. GSR has not
9 previously requested a time modification.

10 10. The extension requested by the parties will not affect the case schedule.

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct.

13 Executed this 24th day of May, 2022, at Los Angeles, California.

14
15 /s/ Nicholas N. Spear

Nicholas N. Spear

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